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ILLUSTRATION
OF THE
CUSTOMS OF A MANOR
IN THE
NORTH OF ENGLAND,
DURING THE FIFTEENTH CENTURY.

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ILLUSTRATION
OF THE
CUSTOMS OF A MANOR
IN THE
NORTH OF ENGLAND,
DURING THE FIFTEENTH CENTURY,

WITH OCCASIONAL REMARKS ON THEIR RESEMBLANCE TO THE
INCIDENTS OF ANCIENT SCOTISH TENURES.

By SAMUEL HIBBERT, M.D. F.R.S. F.A.S.E. &c.

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The present Dissertation was read before the SOCIETY of SCOTISH ANTIQUARIES in Edinburgh, and appears in their volume of Transactions for the present year. An appendix is now added to it, of which a very few copies have been printed for private circulation. It chiefly consists of the Custom Roll and Rental of Assheton-under-Line, as drawn up during the Fifteenth Century. This was not published along with the Essay, on account of its great length, and because it contained a superfluity of matter unconnected with the leading object of the paper. But as it certainly possesses a local interest, suggesting many comments connected with the ancient state of Assheton (into which I have myself no leisure to enter), it is printed with the view of preserving materials that may be useful at some future period to the historian of this district of Lancashire.

ILLUSTRATION
OF THE
CUSTOMS OF A MANOR IN THE NORTH OF ENGLAND
DURING THE FIFTEENTH CENTURY,
WITH OCCASIONAL REMARKS ON THEIR RESEMBLANCE TO THE
INCIDENTS OF ANCIENT SCOTISH TENURES.

THE documents which have given rise to the present paper, relate to an English manor in Lancashire, named Assheton-under-Line. They were collected together in what is called *a book*, its contents being sufficiently explained by the following preamble:—
“ At the feast of Martyn in winter, the year of King Henry the
“ sixth after the conquest, the first, all the tenants of the Lord-
“ ship of Assheton-under-Line, taking their tenements to farm
“ for twenty winter terms, of John of Assheton, Knight, the which
(evidently meaning the family) “ came out of Normandy, at the
“ said feast, with all the services, customs, and usages, as after is
“ in this same book written and rehearsed, and as it has been used

"and customed of old time."* From this source, therefore, will be illustrated, the state of manorial tenures in the north of England, during the 15th century. Many of the early feudal customs to be elucidated, are very similar to those that have existed in Scotland, relics of which may be traced in the tenures of the present day, though considerably modified by their adaptation to an advanced state of civil liberty.

Sir John of Assheton, who lived in the reign of Henry the Sixth, was, as his rent-roll expressed, of Norman descent, his family succeeding to a common Saxon Thane or Vavasour, in the possession of the demesnes on which he resided.† At the period in which this knight was settled upon the estate of Assheton, tenures had assumed that definite form, to which was applied the term *socage*, a word of obscure etymology, supposed to denote *privilege* or *liberty*, in contradistinction to the indeterminate services of more ancient feuds. The feudal system had, at the same time, been materially aided in its progress towards a civil establishment, by the

* Of this book I possess but a copy, which is not every thing that an Antiquarian could wish, the orthography being by no means preserved in its original state. It was formerly in the possession of one of my ancestors; but, at the earnest solicitation of the family whom it most concerned, was presented to them.

† William of Normandy, in parcelling out the lands he had wrested from the Saxons, gave the whole territory between the Ribble and the Mersey to Rogerius Pictavensis. This officer again carving out his allotment among a more subordinate rank of military, the manor of Manchester, to which the land of Assheton was originally annexed, came into the hands of Robert de Grelle, under the usual obligation of an oath of fealty. This infestment was in time still further divided; for Albertus, the son of Robert de Grelle, gave all the land of Assheton to Rogerius the son of Orm the Norman, who held it by the annual payment of a penny to the Lord of Manchester. This Orm was the ancestor of the Asshetons. In the year 1346, Thomas of Assheton received the honour of knighthood, for a singular display of valour at the battle of Nevills Cross. Riding through the ranks of the formidable host that was opposed to the English, he forced his way to the King of Scotland's tent, and bore from it the Royal Standard.

necessity imposed upon feudatories, of dispensing with the military obligations of a part of their dependants, to whom was committed the care of cultivating the land, and of accepting in lieu of them the labours of husbandry, or a return of corn, cattle, or money. Landed possessors were thus enabled to attend to their military duties, disengaged from occupations that were considered, in a chivalric age, as base and dishonourable.

The territory of Assheton, having been honoured by the residence of the Lord, had long acquired the appellation of Manor ; *Manerium a manendo*. The relations of landlord and tenant, as expressed in the rent roll of Sir John of Assheton, were clear and explicit ; while the degree of faithfulness with which services were performed, was determined by the jurisdiction of the Lord's court. In describing, therefore, the customs of this manor, I shall notice in order, *1st*, The rental and obligations which accrued from tenants at will ; *2dly*, Those which accrued from free tenants ; *3dly*, Those which arose from tells, fines, or festivals ; and, *4thly*, The conditions under which all the tenants were bound to the Lord in the jurisdiction of the Court Baron.

My first object then is to describe the rental and obligations which resulted from tenants at will.

Sir John of Assheton's tenants of this description were bound to him by obligations of a base or servile nature, yet determinate, and, therefore, properly comprehended under the name of *Villanum Socagium*. They were excluded from partaking in the honours of the 'tented field,' being destined, on the manor of their lord, to perform the duties of civil and agricultural drudgery. Thus, the opprobrium cast upon such menial employments, as ploughing the lord's lands, or carting the lord's fuel and manure, originating from the high sense entertained, in this early period, of military allegiance, is

transmitted to later times, in the debasing ideas that the name of villain, originally nothing more than a feudal term, never fails to excite. The conditions upon which lands were rented to tenants-at-will, are related with much perspicuity. They were to be taken, as it is stated, "for twenty winter terms," the rent to be paid at two periods of the year. Any tenement might be given up by a year's notice to the lord, at the rent day of Martinmas, on the condition that it was resigned in as good condition as when first entered upon; if not, the lord or his officers might direct four or six sworn men to visit the houses and closes occupied by the tenant, who was held responsible for the sum that they might adjudge as necessary for the repair, as well as for the deterioration that the land might have sustained. A visit of this kind might indeed be made, whenever a tenant removed from his possessions at the end of his term; but in such a case the land was excepted from the assessment, unless it had been injured from design or from malice. The largest farm that appears to have been taken, yielded the annual rent of 39s. 6d. sterling; the lowest tenements, which were for cottages, paid no more than two shillings each.

The particular services of the tenants-at-will may now be enumerated; the first of them being the return of a present to the lord, at Yule or Christmas, for the sake of partaking in the annual feast of the great hall. The origin of this service is a subject of interesting inquiry. The Scandinavians who peopled the province of Normandy, and afterwards became the conquerors of England, knew no other tribute in the country from which they emigrated, than one which was of the nature of a capitation tax. It is not improbable, then, that, in subduing England, they subjected their newly acquired Saxon vassals to

the same impost to which they themselves had been accustomed, by inserting it in their rentals. We accordingly find traces of this, the most ancient of all duties, in the old rent rolls of many manors in England. Nor was a similar demand unknown in Scotland, where it was exacted under the name of *Canage*: this term being derived from the Gaelic *Cean*, signifying the *head*; and, therefore, supposed to import the capitation duty, which had preceded feudal obligations. The tribute of *canage* was generally paid at one period of the year, often at Christmas, in fowls, in cheese, or in oats; which were hence named *cane fowls*, *cane cheese*, or *cane oats*. The English mode, however, of collecting such a capitation tax, was by requiring from tenants an annual present at Christmas, that was spent in providing a treat, in which both the landlord and his vassals partook. The custom, as it appears in Sir John of Assheton's rental, is described after the following manner: The service of the said tenants is this,—“That they shall give their presents
“at Yole; every present to such a value as it is written and set
“in the rental; and the lord shall feed all his said tenants and
“their wives, upon Yole-day at the dinner, if they like for to
“come; but the said tenants and their wives, though it be for
“their ease not to come, they shall send neither man nor woman
“in their name, but if they be their son and their daughter
“dwelling with them, unto the dinner; for the lord is not bound to feed them all, only the good man and the good wife.”

I may now remark, that, in some manor-houses of Lancashire, once dedicated to these annual scenes of festivity, may be observed an elevation of the floor at the extremity of the great hall, or, in the place of it, a gallery which stretches along one side of the room, with the intention that it should accommodate

the lord and his family, so that they might not be annoyed by the coarse rustic freedoms, which the tenants would be too apt to take with them, during the hours of their conviviality. In a hall, then, of this kind, contrived in the manor-house of Assheton, we may imagine the large Yole fire to be kindled; while, in a gallery or raised floor, Sir John of Assheton, his lady, and family, together with his kinsmen, Elland of Brighthouse and Sir John the Byron, are feasting apart, yet attentive to the frolics or old songs of the company below. It was on these occasions that pig-tankards were used, and horns that bore the names of the Saxons and Danes whom the Normans had ousted out of their possessions. Of such trophies was the horn of Wolfus the Saxon, the Aylesbury horn, the Ribblesdale horn, the Aston horn, the Pusey horn, once belonging to Canute, or the Wassel horn of Robert de Eaglesfield. Of the description of ale that flowed merrily on these occasions, we know little; but there can be no doubt that it was as good as King Henry the VIII's ale, which contained in it neither hops nor brimstone.* We may suppose, then, that, on annual festivals like these, the wooden bowl, or horn, would pass freely through the hands of Sir John of Assheton's tenants-at-will; among whom were such personages as Hobbe Adamson, Hobbe of the Leghes, William the Arrow-smith, Roger the Baxter, Roger le Smith, Jack the Spencoer, Jack the Hind, Elyn Wilkyn daughter, Elyn the Rose, and the widows Mergot of Stayley, Peryn's wife, and Nan of the Windy Bank, who owed suit and service,—all clad in their best hoods and brown woollen jackets and petticoats. The ancient musical instruments used in Lancashire were, a kind of fiddle, not of the present

* It was an order of King Henry VIII. to his Household, that there should be neither hops nor brimstone in the King's ale.

form, and a stringed instrument called the Virginals. The provincial songs of that period, few of which were less than half an hour in length, rehearsed the deeds of Lancelot du Lake, and his conquest of the Giant Tarquin, at the castle of Manchester; Ranulph of Chester, and his wars in the Holy Land; or the warlike feats and amorous prowess of the renowned Cheshire hero, Roger de Calverley. In order to preserve, as much as possible, the degree of decorum that was necessary at such meetings, there was frequently introduced a diminutive pair of stone stocks, of about eighteen inches in length, for confining within them the fingers of the unruly. This instrument was entrusted to the general prefect of manorial festivities, named the King of Misrule, whose office it was to punish all who exceeded his royal notions of decency: Accordingly, such a character appears among the list of Sir John of Assheton's tenants, under the name of Hobbe the King. It has been observed, that these entertainments were not supported by the munificence of landlords, but by the several contributions of tenants, rendered under the name of Presents; on which account, a festivity of this kind, that was wrung from the pockets of vassals, acquired, in derision, the appellation of *Drink-lean*. The Widow Mergot, who occupied one of the largest farms, gave for a present twenty pence. Robert Fulstaffe, who, for his house and lands, paid 32s. 6d., rendered for his share of the feast, 14d. Jack the Hind, who had a tene-ment of the yearly rent of 19s. 6d., paid 8d. Alys, that was Pole's wife, annually paid for her dwelling and lands 12d. and a present of 4d. The assessments appear so disproportionally levied, that they were probably in many cases considered in other services. Some of the cottagers are wholly free from this demand. It is evident, from an examination of the presents collect-

ed for these drink-leans, as they appear in Sir John of Assheton's rent-roll, that, if they did not leave a handsome surplus to the lord, they would at least repay the expences of the table. Accordingly, it is not improbable that the name of *landlord* was originally attached to the host of an inn, as a satirical allusion to the *manorial landlord*, who never provided a dinner for his guests, without receiving for it an adequate recompense.

It is impossible to say when these annual celebrations were discontinued in England; but that they did not cease without some regret on the part of the tenants, is evident, from the custom being perpetuated to modern times in a manor of the south of England, by a sort of mock representation of the ceremonies that once took place on such occasions. "At present," says a celebrated Antiquary, "the Whitson Ales are conducted in the following manner:—Two persons are chosen, previously to the meeting, to be lord and lady of the ale, who dress as suitably as they can to the characters they assume. A large empty barn, or some such building, is provided for the lord's hall, and fitted up with seats to accommodate the company. Here they assemble to dance and regale, in the best manner their circumstances and the place will afford; and each young fellow treats his girl with a ribband or favour. The lord and lady honour the hall with their presence, attended by the steward, sword bearer, purse bearer, and mace bearer, with their several badges or ensigns of office. They have likewise a train bearer or page, and a fool or jester dressed in a party coloured jacket, whose ribaldry and gesticulation contribute not a little to the entertainment of some part of the company. The lord's music, consisting of a pipe and taber, is employed to conduct the dance. Some people think this custom is a commemoration of

“ the ancient Drink-lean, a day of festivity formerly observed by
 “ the tenants and vassals of the lord of the see within his manor ;
 “ the memory of which, on account of the jollity of these meet-
 “ ings, the people have preserved ever since. The glossaries in-
 “ form us that this Drink-lean was a contribution of tenants to-
 “ wards a potation, or *ale*, provided to entertain the lord or his
 “ steward.”*

It may now be remarked, that these Drink-leans do not appear to have been unknown in Scotland. When Orkney was annexed in the 15th century to the Crown of Scotland, udal or allodial tenures gave place to those which were feudal ; and many customs incidental to manorial obligations were preserved in this group of islands, long after they had ceased to exist in Scotland. Even during the middle of the last century were to be found small landed proprietors who assumed, within their narrow demesnes, many of the functions of the baronial lord ; while each little manor afforded an epitome of the state of the feudal system, when aided in its civil establishment by the necessity imposed upon feudatories, of resigning to a limited number of dependants the care of cultivating the soil. Thus, in a scarce pamphlet entitled “ The true Causes of the Poverty of Orkney,” published so late as the year 1760, I find the following account of what are called *Boumacks*, a word which Dr Jamieson supposes to be of Scandinavian origin, derived from the Isl. *Bua* parare, and *Mage* socius ; that is, *to make preparations for one's companions*. “ The ancestors
 “ of the generality of the present lairds of Orkney,” says the writer of this pamphlet, “ were mean men, feuars of the King's

* See Mr Douce's description of sculptures on the out side of St John's Church, Cirencester, in Carter's Ancient Sculptures, vol. ii. p. 10.

“ property ; they were plain, simple, sober countrymen, frugal,
“ industrious labourers, unacquainted with tea, coffee, rum, silks,
“ and velvets. Their tenants were their friends and companions ;
“ every tenant feasted his laird at least once a-year in the Christ-
“ mas holydays ; their feasts are called Boumacks by the coun-
“ try people. A late landlord of a good estate, looking on these
“ Boumacks as what the tenant was obliged to give his master,
“ converted the Boumacks of every house on his estate to four
“ settins of malt, and charged that in his rental as a fixed and
“ constant yearly rent ; for, now a days, most of these lairds would
“ be affronted to sit down at a Boumack with his tenants.”

We may now return to the more immediate object of this paper, which is to describe the customs of the English manor of Assheton ; and, in the next place, those particular services of villein soccage may be detailed, which were considered so particularly degrading as to be abhorrent to the feelings of all who were entitled to bear arms. In the manor of Assheton, every tenant-at-will was thus commanded : “ He that plough has, shall
“ plough two days. He that half plough has, shall plough a-day,
“ whether the lord be liever in wheat seeding, or in lenton seed-
“ ing ; and every tenant harrow a-day with their harrow in seed-
“ ing time, when they bin charged. And they shall cart, every
“ tenant ten cartful of turve from Doneam Moss to Assheton,
“ and shere four days in harvest, and cart a day corn.” This service, so profitable to the lord, was familiarly called Boon-work. Hence an old adage, still retained in the north of England, when a man is supposed to be working for nothing, “ *that he has been served like a boon-shearer.*” Yet it is not improbable that some small return was generally made for such labour. A friend of mine has informed me that, in a M.S. relating to the disburse-

ments of an old family in Lancashire, mention is made of gloves that were given to certain boon-shearers. It is well known that obligations of vassalage, similar to those described, prevailed over all Scotland; but it is far from creditable to the present age, that they should still be suffered to exist in the Shetland islands, where I have heard the claims of feudal authority, that the tenant should, on a certain day, cast the peats of his landlord or minister, felt with all the impatience of the ancient boon-shearer of England.

Another service of Sir John Assheton's tenants was, that "they should pay a principal at their death, to wit, the best beast they have." This is evidently a heriot. It is almost unnecessary, on the present occasion, to remark, that the word *heriot* has been variously derived from the Latin *herus*, intimating that it was a tribute belonging to the lord; while Sir Henry Spelman finds a Saxon original for the word, signifying *a horse*, because that animal constituted the first heriot. In the earliest period of feudality, a superior possessed an uncontrouled dominion over the entire property of his vassal; yet, when slain in battle in the company of his lord, a remission was made, in consideration of his faithful services, of any further claim upon his property than what might remain on the field. This usually consisted of a horse, which was accepted as a release, or a heriot. The principle of heriotism, thus introduced, was subsequently extended to that class of dependants who were retained in their lord's employ to perform the baser services of the manor. As their property, therefore, consisted of cattle, or of implements of husbandry, the heriot due to the lord was the best beast, cow or horse, of which the tenant might die possessed. This condition being fulfilled, every further claim upon the goods of the deceased was

remitted. It is easily, then, to be conceived, that, in proportion as feudality acquired a civil establishment, this oppressive relic of ancient military subjection would be found particularly galling. In the manor of Assheton there are many traditional stories still remaining on the subject of such heriots or principals. A tenant's boy, on the death of his father, was driving an only cow to the manor-house of certain adjoining demesnes, named Duckinfield. He was met by the lord of the place, with whose person and rank he was unacquainted, who questioned him whither he was taking his beast? "I am driving it as far as Duckinfield, for the heriot," replied the boy. "My father is dead,—we are many children,—and have no cow but this. Don't you think the devil will take Sir Robert for a heriot when he dies?" The lad was fortunately addressing a humane landlord. "Return home," said the knight. "Take the cow back to thy mother; I know Sir Robert,—I am going to Duckinfield myself, and will make up the matter with him."

But, besides the obligation of a heriot due to Sir John of Assheton, there were other claims upon the property of a deceased tenant. He was commanded "to pay a *principal* at his death,—to wit, the best beast he had;" but, as it is added in the rent-roll, "which other deed next after holy kirk." This latter clause alludes to a description of ecclesiastical heriots, known by the name of *Mortuaries*, or *Corse Presents*, from the circumstance that they were brought to church along with the corpse. The custom arose from posthumous bequests being rendered in lieu of neglected tithes; these, by frequent usage, being converted into regular church-dues. When, therefore, the acknowledgment of a heriot was accepted by a feudal lord, in satisfaction of the right which he claimed to the property of a deceased tenant, by virtue of the dominion assumed over his person, the clergy also were willing to

accept of a similar composition, in requital of the demands which they had upon his soul for undischarged oblations. Hence, a mortuary was termed, in the laws of Canute, *Soul Scot*, or *Symbolum Animæ*. Owing to the very rich endowments of the ecclesiastical establishments in England, by which they were rendered less dependent on casual bequests, these mortuaries never appear to have been collected so rigorously as in Scotland. Sir David Lindsay of the Mount, in the ancient poem of the Monarchy, has supposed the case of a poor husbandman on the point of death, in the possession of three cows, and “having small children, two or three.” Before the last breath has quitted him, he is visited by the vicar, who takes away one of his cows, and the uppermost clothes of the family,—not even neglecting to strip the children, and to carry off the grey cloak that covers the death-bed. The wife dies soon afterwards, when the second cow is conveyed away in like manner, together with the woman’s “poore cote of Raploch gray.” Lastly, the death of the widow is succeeded by that of the eldest child, when the third and last cow likewise finds its way to the church. This painful illustration of the nature of corse-presents has been depicted with so much feeling in the poem alluded to, that it would be an injustice to the author not to give it in his own words :—

“ And eke the Vicare, as I trow,
“ Hee will not faile to take a kow,
“ And up-most cloath (though babes them ban)
“ From a poore silly husband man.
“ When that he lyeth for to die
“ Having small children two or three :
“ That bath three kine withoutten ma,
“ The Vicar must have one of tha,
“ With the gray cloak that happes the bed,
“ Albeit that he be poorely cled.

" And if his wife die on the morne,
 " Though all the babes should be forlorne,
 " The other kow he cleekes away,
 " With the poor coat of raploch gray.
 " And if within two years or thre,
 " The eldest childe happen to die,
 " Of the third kow he will be sure,
 " When he hath all them under cure.
 " And father and mother both are dead,
 " Beg must the babes without remead,
 " They hold the corps at the kirk-stile
 " And there it must remain a while,
 " Till they gat sufficient soverty,
 " For their church-right and duty,
 " Then comes the lands-lord perforce,
 " And cleekes to him an heired home:
 " Poore labourers would that lawes were down
 " Which never founded was by reason,
 " I heard them say under confession,
 " That law was brother to oppression."

It is evident from the foregoing description, that in Scotland, as well as in England, the mortuary, in the order of its exaction, took the precedence of the heriot; and that a requital of the demands which the kirk was supposed to possess over the soul of a deceased vassal, was paramount to the lord's claim over his person.

Another service of Sir John of Assheton's tenants, was their obligation to grind at the lord's mill. This was in a popular sense called *Socome*, *sucken*, or *soken*,—names that seem at present attached to the same service in the parish of Turreff in Aberdeenshire; for, on consulting Dr Jamieson's Dictionary, I find the following quotation from a statistical account of that place. "The parish is accommodated with seven corn mills, to some one of which the tenants of a certain district called the *sockcom*, or *sockmen*, or *sucken*, are astricted."

In the English manor of Assheton, a tenant of the name of John of the Edge, seems to have been the *Milner*, who was engaged to pay for his two mills the annual rent of 16s. 4d.; the mills "to be held up (or repaired) at the costes of the lord." The tenants are directed "to muller their corn growing upon " their tenements at the lord's milne to the 16th vessel, and they " are to go to none other milne. And if they buy corn, the " which is dried with the lord's fewel, they are to muller it to " the 16th vessel, and all other corn that they buy they shall " muller to the Love-sucken, which is to the 24th vessel." It may here be remarked, that the 16th vessel, to which the tenants were to muller their corn, was the miller's remuneration, and often called his toll. It would also appear, that the corn, which was consumed on the manor, was allowed to be dried by the lord's fuel; and that grain purchased in a dried state from other manors, where the lord's fuel would be consequently saved, was liable to a toll of only the 24th part, which was hence named *Love-sucken*, meaning a privileged obligation. The ordinances of the lord's court relating to the mill were as follows:—There was a law to prevent an evasion of the toll; for, if any one sold the corn growing upon his own tenement, and secretly bought corn from other tenants of the lord,—if he offered the same to the miller as corn that had been produced on another manor, and that not having been dried by the lord's fuel, was only liable to the toll of the Love-socome;—such an offender, if convicted in the lord's court, was liable to a penalty of twenty-pence. The regulations of a more general nature directed, that all the free tenants, who "owed soken" to the mill, should muller as their charters expressed; but the tenants-at-will should be restricted to the 16th vessel. If any tenant also owing socome went to any other

mill but the lord's, he was to be highly amerced, and was to pay a fine. The miller was to have his service (or toll) at all times; and, if there was any default in him that could be proved, he was to be severely punished.

The last regulation of the mill strikingly elucidates the feudal manners of the 15th century, since it enforces the concession that is expected on all occasions to the convenience of a superior. The tenants are formally warned, that "when the lord's corn comes to the miln, he shall put all men out of their grist, and take their corn out of the hopper, if there be any therein; his corn shall be ground next before all men when it comes to the miln, without muller or paying service to the milner, but as his lyst if he likes, and curtasy to give to the said milner."

Attached to these ordinances, was a covenant between Sir John of Assheton and his tenants, relative to the keeping of swine. These animals were allowed to range in the demesnes of the town, from the latter end of August until sowing time, provided that they were properly ringed and did no harm; in default whereof, the owner was to loose him to the lord 4d., or by this sum redeem him from poundage. The brewer who brewed to sell, and the miller, were allowed to keep three swine; the tenants who had land in the fields, two swine; and he who held no land might have one swine.

Having at length given a view of the rent and services required from Sir John of Assheton's tenants-at-will, the relations in which his free tenants stood to him may be in the *second* place explained.

In the tenures now to be described, we are presented with an illustration of what is termed by the lawyers *liberum soccagium*, or free soccage, where the obligations are not only certain

but honourable. A numerous list of free tenants swell the manor roll of Sir John of Assheton, who, for the most part deriving their names from the paternal lands that they occupied, are declared *absque omnibus servitiis et exceniis, (Anglice, presents) liberi*. In this list no appellations can be detected that denote any menial occupations of life ; while, among the tenants-at-will, we find mention made of such individuals as William the Walker, (or renter of a fulling mill), John the Slater, Robbin the Cropper, Robert le Wright, or William the Arrow-smith.* It also appears, that the Lord of the Manor took every occasion to announce the wide line of distinction that subsisted between the rank of the free tenants and that of the lowly tenants-at-will. An ordinance is to be found in his book of customs, settling the degree of precedence that was to be observed among their wives, daughters, and women servants, while upon a Sabbath they arranged themselves on the forms of the Parish Kirk ; a regulation of this kind being well calculated to preserve the peace of the Church from being disturbed with the disputes of these females in their demand for places suitable to the several spheres of life in which they moved.

(See the arrangement of Forms at the end of this Dissertation.)

* That a distinct profession of an *arrow smith* should exist in a small town like Assheton, can create no surprise if we refer to what Drayton has affirmed of the Lancashire Bowmen.

“ Besides her natives have been anciently esteemed,
 “ For Bowmen near our best, and ever have been deemed
 “ So loyal that the guard of our preceding kings
 “ Of them did most consist.”

Also in the ancient poem of Flodden Field, Lord Stanley is made to address the followers whom he led from the counties of Lancashire and Cheshire, after the following manner :—

“ My Lancashire most lively wights,
 “ And chosen men from Cheshire strong ;
 “ With sounding bow your feathered flights,
 “ Let fiercely fly your foes among.”

It may be now observed, that the lands originally granted to Sir John of Assheton's tenants, were either with a view to personal service in the field of battle, the obligation being rather understood than expressed,—or they were grants of mere accommodation to the owners of contiguous manors ; a slight acknowledgment in money being all that was demanded in return. The highest annual rent paid by a free tenant, (John of the Highrode), was 7s. 1d. ; the lowest rendered by Thomas de Staneley, was a penny, if we except a yearly tribute for a tenure paid by Richard de Bardsley, which consisted of a rose. This estate had been granted to Sir John of Assheton's brother, of the order of Saint John of Jerusalem. The profits of it, therefore, were handed over by Richard de Bardsley, for the support of the knight hospitaller in the Holy Land, where the grand master of the order resided ; a rose being at the same time all that was exacted by Sir John, as a yearly acknowledgment that the grant had emanated from the Lordship of Assheton. This donation appears to have been presented by a female, who, from the circumstance, acquired the name of *Elyn the Rose*.

The view I propose to take of the customs of the manor of Assheton, will, *in the third place*, be answered by noticing the other sources of the lord's income, as derived from tolls, fines, &c. The turbary of an adjoining Moss brought him in, by estimation, L.5. 16s. annually ; the toll of the fairs yielded two marks ; the courts and fines 40s. ; and, as Sir John appears to have neglected no means to augment his income, he drew from the gyst-ale, or gysing feast (an annual festival of the town of Assheton), a sum of 20s. which was collected from the conductors of it, who were, Margret the widow of Hobbe the King, Hobbe Adamson, Roger the Baxter, Robert Somayster, Jenkin of the Wood, and

Thomas of Curtnall. For an account of the gyst-ale, I have in vain searched among the large mass of popular antiquities collected by Brand and Ellis. A veteran, however, of this almost obsolete feast, who had known it in better days, has furnished me with some curious particulars regarding its mode of celebration. These *guisings* (or more properly *disguisings*), termed also *marlings*, were celebrated in the spring, after the fields had been manured with marle, an operation preparatory to the sowing of wheat. They were the principal feasts or *ales* in Lancashire; and the disorders which never failed to ensue from them are transmitted at the present day in the modern provincial acceptation of the word *Marlock*, which, in that county, denotes a great disturbance or riot of any kind. For the celebration of the gyst-ale of a township, a contribution was raised from all ranks of society: The lord of the manor, the esquire, or the farmer, whose bounty might be supplicated, came forward and announced the sum that he intended to give. The treasurer of the feast exclaimed *a largesse!* The populace, with one voice, demanded *from whom?* The sum was not then actually published; but it was vauntingly proclaimed that the donor, who had always on these occasions the title of lord prefixed to his name, had contributed a part of several thousand pounds. After the collection had been made, an immense garland was formed of every flower the season afforded, being also decked with a profusion of ribbons; but the number and variety of the silver, or silver plated vessels, which were suspended from every part of it, constituted its chief attraction. The villagers, who were overwhelmed with rustic finery, then formed themselves into a procession, in which they were attended by an *Arbiter Elegantiarum*, named the King. The fool was an indispensable character; a grotesque cap, a tail hanging

to the ground, the usual appendage of a bell behind, and a formidable mask, constituted the peculiarities of his apparel. He was in more ancient times mounted on a hobby ; and his office, which was a lucrative one from the money that he collected, was named *Hobriding*. Thus, in the manor roll of Assheton, Jack the mercer paid to his lord for such a privilege the annual sum of 6s. 8d. In a later period these guisings, from the circumstance of taking place in several populous villages at one time, have provoked such a desire for pre-eminence, that the inhabitants have spared no expence in prolonging them, or in giving to them the greatest eclat ; they have undergone in the same spring frequent repetitions ; and, while the contributions have been repeated, the poor have been exposed during the remainder of the year to considerable penury. The sum thus collected amidst the rivalry of contending townships has been immense ; a single hamlet having been known to expend in one season from two to three thousand pounds. It was probably owing to the ruinous expence which attended these festivals, that they were suffered to become extinct.

Having at length noticed the rental and obligations accruing to Sir John of Assheton, from tenants-at-will, from free-tenants, and from tolls, fines, or festivals, I may briefly recapitulate, that his unappreciable income consisted of presents which he received at Yole, of heriots, of the personal services of ploughing, reaping, and casting turf. But the amount of his certain income as drawn from free tenants and tenants-at-will, from the obligations to grind at the lord's mill, from tolls and fairs, from the liberty of cutting turf at the moss, and from an annual festival celebrated in the town of Assheton, named the Gyst-Ale, amounted to the sum of L.36. 14s. 6½d. sterling, out of which he made a settlement to his

son and heir, of lands and tenements, to the annual value of L.9. 2s. 7d. upon the occasion of his marriage with a daughter of Sir John the Byron. He also gave some houses and lands to a few favourite servants for the term of their lives, as, to John the Cook, John of the Wood, (the owner of a basket-field) and to others; while, to two of his sons, he gave places and gardens in the town. Another grant to the last mentioned individuals, Rauf of Assheton and Robyn of Assheton, merits much attention. It is stated that they "have the Sour Carr Guld rode and "stane rynges for the term of their lives, Rauf of the gift "of John of Assheton, knight, the elder, and Robyn of the gift "of John of Assheton, knight, the younger." This donation evidently alludes to the privilege of *Guld-riding*, a custom that, in Scotland at least, is of great antiquity, having been intended to prevent lands from being over-run with the weeds, which, from their yellow colour, were named *gools*, or *gulds*.* I find it mentioned, on the authority of Boethius, (lib. 10.) that a law was made by King Kenneth to prevent the growth of *manaleta* or *guld*, and to impose a fine of oxen upon the proof of its infraction.† An ordinance of this kind appears, indeed, to have been enforced in many baronies of Scotland, as in that of Tinwald in Annandale; and that it existed in England, now appears from the manorial papers of Assheton. But as this singular practice of *guld-riding*, once in very general use, is, I believe, little known to Antiquaries in general, I shall be perhaps excused in ex-

* Corn Marygolds. *Crysanthemum Segetum*. Linn.

† This law is perhaps referable to a much later date than to the reign of King Kenneth, namely, to that of Alexander II. Boethius's statement is as follows:—"He that suffers his land to be "fild with guld, or siclik unprofftabil wedis, sall pay for the first falt ane ox to the commoun "gud; for the second falt, x. oxin; and the thrid time, he sal be forfaltit of his landis." Belleröden's Translation of Boece, "Tent Buke, Chap. xii."

tracting an account of it from a statistical writer on the parish of Cargill, in Perthshire, where the custom is retained at the present day. "The lands of Cargill," says this author, "were formerly so very much over-run by a weed with a yellow flower that grows among the corns, especially in wet seasons, called *gools*, and which had the most pernicious effects, not only upon the corns while growing, but also in preventing their *winning* when cut down, that it was found absolutely necessary to adopt some effectual method of extirpating it altogether. Accordingly, after allowing a reasonable time for procuring clean seed from other quarters, an act of the baron-court was passed, enforcing an old act of Parliament to the same effect, imposing a fine of 3s. 4d. or a wedder sheep, on the tenants, for every stock of *gool* that should be found growing in their corns at a particular day; and certain persons stiled *gool-riders* were appointed to ride through the fields, search for *gool*, and carry the law into execution when they discovered it. Though the fine of a wedder sheep is now commuted and reduced to 1d. sterling, the practice of *gool-riding* is still kept up, and the fine rigidly exacted. The effects of this baronial regulation have been salutary beyond what could have been expected. Five stocks of *gool* were formerly said to grow for every stock of corn through all the lands of the barony, and 20 threaves of barley did not then produce one boll. Now, the grounds are so cleared from this noxious weed, that the corns are in high request for seed; and, after the most diligent search, the *gool-riders* can hardly discover as many growing stocks of *gool*, the fine for which will afford them a dinner and a drink." *Par. Cargill, Perthsh. Stat. Acc.* xiii. 536. 537. drawn up by the Reverend Mr J. P. Bannerman.

After this explanation, there will be little difficulty in tracing the origin of a custom peculiar to Assheton, named "Riding the Black Lad," that has long attracted the attention of many Antiquaries.

A large portion of low wet land in the vicinity of Assheton was, in John of Assheton's days, named the *Sour Carr* (Carr being synonymous with the Scottish word *Carse*, and the well known term *sour*, implying an impoverished state of the carr.) It had been overrun with corn marygolds, named, as in Scotland, Carr-gulds. These were considered so destructive to the growth of the corn, that the lord of the manor was compelled to enforce some rigorous measures for their extirpation. A manorial regulation, therefore, existed, similar to that which is still kept up in Perthshire, called Carr-guld Riding. Ralph of Assheton, Sir John's son, in consequence of a second marriage, and Robin his brother, were, on a certain day in the spring, invested with the power of riding over the lands of the Carr, named the *Carr-guld Road*; of levying fines for all carr-gulds that were found among the corn; and, until the penalties were paid, of punishing transgressors by putting them into the *stocks*, or *stone rings*, or by incarceration. It appears that Ralph of Assheton became, by his alliance with a rich heiress, the lord of a neighbouring manor, named Middleton, and soon afterwards received the honour of knight-hood; being, at the same time, entrusted with the office of vice-constable of the kingdom, and, it is added, of lieutenant of the tower. Invested with such authorities he committed violent excesses in this part of the kingdom. In retaining also for life the privilege granted him in Assheton of Guld Riding, he, on a certain day in the spring, made his appearance, in this manor, clad in black armour (whence his name of the Black Boy),

mounted on a charger, and attended with a numerous train of his own followers, in order to levy the penalty arising from the neglect of clearing the land from Carr-gulds. The interference of so powerful a knight belonging to another lordship could not but be regarded by the tenants of Assheton as the tyrannical intrusion of a stranger; and as Sir Ralph, sanctioned by the political power given to him by Henry VI. exercised his privilege with the utmost severity, the name of the *Black Boy* is at the present day regarded with no other sentiments than those of horror. Tradition has, indeed, still perpetuated the prayer that was fervently ejaculated for a deliverance from his tyranny.

Sweet Jerr, for thy mercy's sake,
And for thy bitter passion,
Save us from the axe of the tower,
And from Sir Ralph of Assheton.

Upon the death of the Guld Rider of Assheton, Sir John's heir and successor abolished the usage forever; and reserved from the estate a small sum of money for the purpose of perpetuating, in an annual ceremony, the dreaded annual visits of the *Black Boy*. This is kept up at the present day. An effigy is made of a man in armour; and since Sir Ralph was the son of a second marriage (which, for this reason, had been esteemed by the heir of Sir John as an unfortunate match), the image is deridingly emblazoned with some emblem of the occupation of the first couple that are linked together in the course of the year. The *Black Boy* is then fixed on horseback; and, after being led in procession round the town, is dismounted, made to supply the place of a shooting-butt; and, all fire-arms being in requisition for the occasion, he is put to an ignominious death*.

* Several very forced explanations of this ceremony have been given; but as they rest on nothing more than mere conjecture, no authentic records being adduced in their support, I shall excuse myself from taking the least notice of them.

This history of the ancient practice of guld-riding, as it occurred in a manor of the north of England, can scarcely fail to interest the Scottish Antiquary, who, in its mode of celebration, will find a singular manifestation of the same spirit that had long previously dictated an act of Alexander the II. of Scotland, by which the individual, under whose encouragement gulds had sprung up among the corn, was denounced as deserving punishment, no less than if he had headed a party of foemen, in order to lay waste the fruits of the earth that were destined for the support of a royalty, or of a barony. It was, therefore, perfectly in unison with a view of this kind, that Sir Ralph of Assheton should take the field against the gulds, as against a despoiling army; and that, clad in black armour, and otherwise accoutred in military state, he should appear as if waging open war against all those disloyal husbandmen, who, in having neglected to clear the corn from the destructive weeds that had sprung up among it, had admitted an enemy within the manor to destroy the produce of the ground. "*Si firmarius tuus,*" says the ancient Scottish statute, "*ponat maneletam in terra Domini regis vel Baronio, et non vult eam deliberare et mundare, debet puniri sicut seductor, qui ducit exercitum in terram Domini regis vel Baronio.*"

"*Item, Si nativus tuus habeat maneletam in terra tua, pro qua libet planticula dabit tibi, vel cuilibet alio suo domino, mutonem, ad forisfactum suum: Et nichilominus terram mundabit a maneleta.*"*

Our 4th and last object of attention relates to the jurisdiction of the manor now under consideration. In the earliest history

* From a statute of Alexander II. King of Scotland, entitled *De Maneleta, id est Guild*, Cap. 18. This curious edict was obligingly pointed out to me by Mr Dillon, one of the secretaries to the Society of Scottish Antiquaries.

of Norman tenures, the Lord of Assheton had the absolute power of life and death ; strong dungeons were constructed near the manor house, the remains of which still appear ; and a meadow adjoining the town, that still bears the name of Gallow's Field, was selected for a summary place of execution. But as civil liberty gained ground in the country, the conditions of jurisdiction, under which all the tenants became bound to a superior, were considerably ameliorated in the institution of the lord's court, or, as it was originally named, the Court Baron ; so that, in time, a seat of justice of this kind was accounted so inseparable an ingredient in a manor, as to render it liable to be forfeited if it did not contain tenants sufficient to make up a jury or homage. The free tenants, and tenants-at-will, granted, therefore, to Sir John of Assheton, to be justified in the great Hall Mote of Assheton, according to the customs, ordinances, and burgales of the town. They engaged not to swear upon an inquest between the tenants-at-will at the suit of party, but between six of the free tenants and six of the tenants-at-will, or between the lord and the same number of tenants. Any one convicted of unprovoked trespass done to others, was to suffer a distrain of goods ; or, in failure of possessing goods within the lordship, was to be taken by the lord or his bailey, " with the strength of the free tenants " and tenants-at-will," and to be set in the stocks, until he had made a reasonable amendment to the aggrieved party, and to the lord at his will. If any strange man of any other town came to do harm to any tenants of Assheton, then, anon, all the residents, upon being duly warned, were to rise, take and arrest the trespasser unto their power ; and if any of the tenants and residents refused so to do, or if any of them resetted or maintained any strange man, knowing that he had done trespass, he

was, upon conviction, to give the lord 40s. within fifteen days following, or the bailey might raise the amount by a distress upon his goods. If, also, there was any fighter among the tenants and residents, who should "fight with another in his beginning," he was, on being found guilty, to give the lord half a mark; for the second offence to pay a mark; and, for the third, twenty shillings: any *resetter*, also, was upon conviction bound to amend it to the party grieved, and to give the lord the pains set upon him. These edicts were well calculated for a quarrelsome state of society, and may be applicable to the natives of Assheton at the present day; since the fighters of Sir John's time, as well as the *resetters*, appear to have transmitted a large portion of their respective virtues to their posterity.—Such were the laws of the court baron; and the consequence of any person refusing to be justified by them was, that the lord would remove him out of his service, so that he should *lose* his love, i. e. redeem it by proper concession or punishment.

The object of this paper has at length been accomplished. Sir John of Assheton has been traced through all the varied relations in which he stood as the lord of a manor; and some idea may be now formed of the ancient conditions of freeholders and tenants-at-will. Tracing the latter through all the degrading obligations of vassalage,—through presents, boon-work, heriots, or mortuaries,—little are we inclined to wish for a revival of what are improperly named "the good old times." In an iron age, like that of Henry VI. the profession of arms was the most enviable of all distinctions; it gave to an individual that rank in society and those privileges which could be obtained on no other condition; while husbandry languished under the opprobrium of villainage. To these grievances may be added, the wanton tyranny

of the feudal tyrant himself, which too often outstretched the salutary laws that were made to restrain his unprovoked aggressions. It is truly remarked by the ingenious author of *Ivanhoe*, in his letter to Dr Dryasdust of York, that, when the worthy person whom he addresses "is placed in his own snug parlour, "and surrounded by all the comforts of an Englishman's fire-side, he is not half so much inclined to believe that his own "ancestors led a very different life from himself,—that the "shattered tower, which now forms a vista from his window, held "a baron who would have hung him up at his own door without any form of trial,—that the hinds, by whom his little pet "farm is managed, would, a few centuries ago, have been his "slaves,—and that the complete influence of feudal tyranny "once extended over the neighbouring village, where the attorney is now a man of more importance than the lord of the "manor."

ARRANGEMENT

DOCUMENTS
CONNECTED WITH
THE FOREGOING ILLUSTRATION
OF THE
CUSTOMS OF THE MANOR
OF
ASSHETON-UNDER-LYNE,
IN THE FIFTEENTH CENTURY.

PEDIGREE of ASSHETON of A

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No. II.

CUSTOM-ROLL and RENTAL of the Manor of Assheton-under-Lyne, printed *verbatim* from a transcript in the possession of Dr HIBBERT, entitled, "A Copy of an Old Manuscript, possessione JONÆ HARROP de BARSLEY, anno 1749. "Nunc possessione Ralf. Assheton. Bar. de Middleton."*

At the feast of Martyn in Wynter, the year of the King Henry (the sixth after the conquest) the First, all the tenants of the lordship of Assheton-under-line, taking their tenements to farm for 20 wynter terme, at John of Assheton, knight, the whiche came out of Normandy at the same feast, with all the services, customs, and usages, as after is in this same book written and rehearsed, and as it has been used and customed of old time; and every man to pay his farm at two times in the year, as the rental of this said book makes mention.

The service of the said tenants is this, y^t they shall give their presents at Yole; every present to such a value as it is written and sett in the rental; and the lord shall feed al his said tenants and their wives upon Yole Day at y^e dinner, if them like for to come; but the saied tenants and their wives, though it be for their ease not to come, they shal send neither man nor woman in their name, but if he be their son other their daughter dwellyng with them unto the dinner. For the Lord is not bounden to feed save al only the gud man and the good wife. Also every tenant that plough has, shall plow two days, and he that half plough has shall plow a day, whether the Lord beleiver in wheat seeding other in lenten seeding; and every tenant harrow a day with their harrow in seeding time when they bin charged. And they shall cart every tenant ten cartful of turve fro Doneammos, Eone Ashton, and shear four days in harvest, and carte a day corne; and they shall pay a principal at their death, that is, to wit, the best beast they have, which other deed next after Holy Kirk.

* It is to be lamented that the ancient orthography of the manuscript has not been faithfully preserved; but I prefer following the transcript rather than correct any error of this description that cannot be confirmed by a reference to the original document.

Also the said tenants shall muller their corne growing upon the said tenements at the Lords milne to the sixteenth vessel, and they shall go to none other milne to muller their corn growing on their tenements, but to the Lords milne; and if they buy corn, the which is dryed with the Lords ffewel, they shall muller it at the Lords milne to the 16th vessel, and all other corn that they buy they shall muller to the Lovesucken, which is to the 24th vessel, and go to none other milne if the corn be brought within the said Lordship.

This is the whole rental of tenants at will of the said Lordship of Assheton, and the value of their presents at yole, the year and day aforesaid, the which rent shall be payed at 2 terms of the year, that is for to wit, the ton half at the feast of St John Baptist, and tother half at the feast of St Martyn ith Wynter.

*Rentale tenent. ad voluntatem de domo de Assheton, anno Regni Regis Henr
Sexti primo.*

Magot, that was the wife of Richard of Hadfield, has taken that place which her husband held to the Dome terme, with the services, customes, and usages that longes to the tenants of the said Lordshippe of Assheton, yielding yearly for the said place at the feast of Midsummer and Martinmas, 39 shillings and 6d. and at y^e Yole aforesaid, a present to the value of 30 pence.

John of Hollinworth has taken the place that he held with the saied service, customs and usages, yielding yearly therefore at the feasts aforesaid, 38 shillings and 2d, and at the Yole, a present to the value of 16 pence.

Chrystopher the Vernon, has taken certain land within Shepley, and in Doneam Moss, with the service of 4 days sheering, paying yearly 15 shillings and 4 pence.

William the Walker has taken the tenement that he ere held, and the moorhey in the ryecroft, with the service, customs, and usages aforesaid, yielding yearly, at the feast aforesaid, 22 shillings and 10 pence, and at the Yole a present the value of 8 pence.

Robert the Walker has taken the tenement that he ere held, with the services, customs, and usages aforesaid, yielding yearly, at the feasts aforesaid, 22 shillings and 10 pence, and for the Walk Miln 26 shillings and 8d. and at Yole a present to the value of 12d.

John of the Edge has taken the land lying to the miln, with the service and customs aforesaid, yielding yearly, at the feasts aforesaid, 13 shillings and 4 pence, and a present at Yole to the value —

Roger Unton has taken the place that Jack Coke held, except the land that lyes beyond the fold that Richard Unton holds, yeilding yearly a whole service and 10 shillings and a — present.

Roger le Smith, for a meadow in the over Ryecroft field, 3 shillings and 4d.

Syssot, that was the wife of Patrick, for a house and garden at the miln, she shall shear 4 days in harvest, and she shall give a principal at her dying; and, for her term, she shall pay 2 shillings, and a present at Yole, to the value of 4d.

Malkyn, y^c was the wife of Dicon Hoggerson, for her tenem^t at the milne, 4d.

Merget of Stayley, for the kilne, 5 shillings.

Robert of Chadwick, for his tenement he shall do the service as other cottages done, and pay 5 shillings, and a present to the value 4d.

Alys, that was Pole wife, the same service for a cottage, and shall pay 12d. and a present, the value 4d.

Marget of Stanley, the same service, and 2 shilling and a present, y^c value 4d.

Syssot, that was the wife of Dycon Wilson, the same service and 2 shilling, and a present to the value 4d.

Alys Hanson, the same service and 2 shilling, and a present to the value 4d.

Nanne of the Windebank, the same service and 2s. and a present to the value of 4d.

Tho^s. of White Leigh, the same service and 5 shillings, and a present, the value 4d.

John Ffulstaffe, for his cottage, a service and 4 shillings, for Lusley 2d.

The same John, for lands in Colwel, 12 shillings.

Elyn Wilkyn doghter, for her cottage, a service and 2 shillings.

Robyn Ffulstaffe, a whole service, the present 14d. and 32s. and 6d., for Lusley 2d.

The wife of Peryn, for her cottage, a service and 2s.

Elyn of Hulme, for her cottage, a service and 2s.

William of Buckley, for a cottage, a service and 2s.

Nanne, that was the wife of Robyn Jackson, for a cottage, a service and 2s.

Jone, that was the wife of Atkyn Tumson, for a cottage, a service and 2s.

William Somaster, for a cottage, a service and 2s.

William Richards son of Bardaley, for a cottage, a service and 2s.

John of Haworth, for a cottage, a service and 2 shillings.

Roger the Smith, for a cottage, a service and 20s. and 5d.

Syssot, that was the wife of Thomas the Cook, a service and 6s. and 8d.

Robert Unton, for his tenement, a whole service, the present 10d. and 7s. and 6d.

For Lusley —

Jenkyn Cocker, for his tenement and croft at the town end that Richard of Oldome held, 20s.

Hob'be Adamson, for his tenement, a whole service and the present 12d., and 11s. and 6d.

Roger the Baxter, for a cottage, a service and 8s. and 2d.

The same Roger, for land in Wollowe, 25s.

The same Roger, for the bake house, 6s. and 8d.

Robyn Somayster, for his cottage and the vyner stedes, a service and 2s.

Adam of the Holde, for a cottage, a service and 4s.

William the Arrowsmith, for a cottage, a service and 4s.

Marget, that was the wife of John the Hind, for a cottage, a service and 2s.

Roger the Smyth, for the smithey, 2s.

John Spakeman, for a cottage, a service and 2s.

Jak the Spencer, bailey, shall answer of the profits and the farms of the booths, the shops and the mealhouse, 10s.

The same John Spencer, bailey, shall answer of the profits of the toll, of the fairs, and y^e markets.

Elyn the Rose, for a cottage, a service and 2s.

Jenkyn of the Wood, for his tenement, a whole service and the present at (Yole) 12d. and the (farm) at 20s. and 6d.

The same Jkn. for his holding in the basket feilds, 13s. and 4d.

Richard Unton, for his tenement and the Rhodes feild in the Thanes Kerr, and for land that was Jak the Cook's, by the pool, 26s. and 8d.

William of Bardesley, for his tenement, a whole service, the present 10d. and the farm 28s. and 10d.

John of Hogh, for his tenement, the service of 4 days shereing and a principal, the farm 14s.

William of the Woodfield, for his cottage, a service, the present 6d. His farm Hanlawe 16s. and 4d., for Lusley 4d.

Thomas Robynson, for his tenement, a whole service, the present 15d. the farm 36s. and 2d., for Lusley 7d.

Raufie Bardesley, a whole service, the present 15d. the farm 34s. and 6d., for L. 6d.
[Perhaps Lusley.—T. P.]

William the Cocker, for his tenement, a whole service, the present 14d. the farm 27s. and 8d., and for L. 8d.

Richd. de Bardesley of Hurst, the over end of the old thane's kerr, the which the lord marled, x^s.

Jack Johnson, for his tenement, a whole service, the present x^d. the farm 29s. and 6d., for L. 16d.

William of Bardisley of Hazlehurst, a whole service, the present 20d. the farm 2s. 6d., for L. 7d.

William of the Wood feild, for a lond at Erley, 4s.

John of Heghrode, for an intake in the Bastall, 2s.

The same John, for William feild, 10s.

Thomlyn of the Leghes of Hazlehurst, for his tenement, a whole service, the present 15d. the farm 32s. and 2d., for L. 4d.

Richard the Smith, for his tenement, a whole service, the present 15d. the farm 34s. and 8d. for L. 4d.

Richard of Bardeley of Hurst, for the Old Thanet Carr, 30s.

Hugh of Gaytcliffe, for his tenement, a whole service, the present 6d. the farm 8s. 6d. for L. 4d.

Jack the Mercer, for his tenement, a whole service, the present 9d. the farm 8s. and 6d., for L. 6d.

Jak the Spencer, for his tenement, a whole service, the present 9d. the farm 17s. and 6d., for L. 2d.

The same, for Hobryding, 6s. and 8d.

John of Lyngards, a whole service, the present 9d. the farm 17s. and 6d., for L. 8d.

Thomas Sanderson, for his tenement, a whole service, the present 8d. the farm 25s. and 6d., for L. 7d.

Robyn Sanderson, for his tenement, a whole service, the present 12d. the farm 33s. and 6d. for L. 4d.

Jak le Mercer, for Wollawe, 18s.

Robyn Robynson, for his tenement, a whole service, the present 10d. the farm 29s. and 2d.

Thomlyn Diconson, for his tenement, a whole service, the present 6d. the farm 7s. and 6d., for L. 4d.

Nichol Saunderson, for his tenement, a whole service, the present 6d. the farm 16s. and 2d., for L. 2d.

John Saunderson, for his tenement, a whole service, the present 7d. the farm 11s. and 6d., for L. 5d.

Jak the Hind, for his tenement, a whole service, the present 8d. the farm 19s. and 6d., for L. 6d.

Wilkyn Robynson, for his tenement, a whole service, the present 13d. the farm 29s. and 6d., for L. 2d.

Jak of the Leghes, for two parts of Mossley, a whole service, the present 20d. the farm 39s. and 6d., for L. 6d.

The same Jak for Knolle's Meadow, and the hay croft, 5s.

The same Jak for certain land in the Moor Hey, 6s. and 8d.

Adam Wilson, for his tenement, 4 days and a principal, the farm 20s. and 4d.

The wife of Wilkyn Atkynson, and John, her son, for her tenement, a whole service, the present 12d. the farm 28s. 8d. for L. 9d.

John the Slater, for his tenement, a whole service, the present 8d. the farm 16s. and 6d. for L 8d.

James of Meltham, for his tenement, a whole service, the present 15d. the farm 36s. and 6d. for L 11d.

Richard Lyngards, for his tenement, a whole service, the present 9d. the farm 21s. and 6d. for L x^d.

Dycon Wilkynson, for hys tenement, a whole service, the present 8d. the farm 14s. and 6d. for L x^d.

William Schlatter, for his tenement, a whole service, the present 6d. the farm 10s. and 6d. for L 2d.

Rauf Johnson, for his tenement, a whole service, the present 8d. the farm 16s. and 6d. for L 6d.

Roger the Cropper, for his tenement, a whole service, the present 9d. the farm 22s. and 6d. for L 8d.

William the Walker, for his tenement, a whole service, the present 8d. the farm 15s. and 2d. for L 4d.

Thomas of Meltham, for his tenement, a whole service, the present 15d. the farm 38s. and 8d. for L 2d.

Rauf of Curtal, for his tenement, a whole service, the present 14d. the farm 41s. and 10d. for L 10d.

Robert the Wright, for his tenement, a whole service, the present 20d. the farm 56s. and 11d. for L x^d.

Dycon Robynson, for his tenement, a whole service, the present 8d. the farm 22s. for L 6d.

Adam of Bardesley, for his tenement, a whole service, the present 9d. the farm 19s. and 6d. for L 5d.

Richard of Bardesley, for Holden, 16d.

Robin the Cropper, for his tenement, a whole service, the present 15d. the farm 36s.

John Burdytan, for his tenement, a whole service, the present x^d. the farm 23s. and 6d.

Thurstan of Bardesley, for his tenement, a whole service, the present 7d. the farm 15s. and 6d.

Robert le Wright, for Wollawe 13s. and 4d.

George of Bardesley, for his tenement, a whole service, the present x^d. the farm 26s. and 4d.

Christopher of Bardesley, for the More that he haldes, 2s. and 6d.

William of the Cross, for his tenement, with two Deles of the Dede Carr, a whole service, the present 7d. the farm 13s. and 10d.

William of Cowleshagh, for his tenement, a whole service, the present 6d. the farm 9s. and 6d.

Thomas of Claydon, for lands that he holdes within Taunton, 3s.

John the Byron, Knyght, for Whitworth Lands in Droyladen, during the lifes of Richard Unton, and Alice, his wife, the rent yearly xx^s.

Thomas Curtnal, for a barn in the town of Assheton, 2s. and 6d.

John of the Edge, for both the corn mills, to pay at Saint Holyn Day and Myghelmas, and the Lord to hald up the milns at his costes, as it has been customed, the farm at the days aforesaid, 16s. and 4d.

Thomas of the Leghes, and Syssot, that was the wife of Dycon of Hollinworth, for the 'tone half of the intake in Palden Wood, 13s. and 4d.

The same Thomas of the Leghes, for an intake besyde Alt Hey, 10s.

John of the Winterbotham, for the marled earth next Rhodes Fields, for 10 year terme, the farm 26s. and 8d.

John of Ainsworth, for the Rydde Legh, 9s. and 6d.

Richard of Lyngards, for the lond that Thomlyn Cropper marled in Alt Hey, for this xx year, the farm 19s. and 8d.

Syssot, that was the wife of Jak of Barsley, for a cottage in the parke, a service, the farm 2s.

A place of lond in Wordel in Rachedall, the farm 20s.

Christopher of Belfield, for lond in Clegge in Rachedall, 15s.—the which land was afterward changed for the Coppydhurst in Oldome pareshe.

The place that was Ranlyn's of Ashton, 13s. 4d.

John of Assheton, 22s.

Thomas of Cloghed, for the Soureker, 4s. and 4d.

William of Lawton, 5s.

The third part of Mossley, xx shillings.

The turvery of Asheton Moss by estimation yearly, 5 pounds.

Pr. John Buron for parcel of the moss, 16s.

For the Heath Barn and croft, 4s.

The Gyst Ale of the Town of Assheton.

Mergret, that was the wife of Hobbe the Kynge, for hyr fine, 3s. and 4d.

Hobbe Adamson for his fine, 3s. and 4d.

Roger the Baxter for his fine, 3s. and 4d.

Robert Somayster for his fine, 3s. and 4d.

Jenkyn of the Wode for his fine, 3s. and 4d.

Thomas of Curtnall for his fine, 3s. 4d.

The tolle of the fairs and the market by estimation, 2 marke.

The courts and the fines by estimation, 40s.

The serviz of all the tenants by estimation —

The londs and the tenements, the which is had within the lordship of Assheton for term of life.

Rauf of Assheton, and Robyn of Ashton, have the Sour Carr-guld Rode, and stane rynges, for terme of their lives. Rauf of the gifte of John Assheton, Knyghte, the elder, and Robyn of the gifte of John Asshton, Knyghte, the younger, the farm. The same Rauf and Robyn have a place in the town of Ashton, and the garden there-to longing, for terme of their lifes, the farm.

John the Cook has a tenement in the town of Ashton, for the term of life, the farm.

John of the Wood has a parcel of the Basketfeild, for the terme of life, the farm.

Richard Unton has a house and a croft in Ashton, the farm.

The third part of Mosseley.

The free tenants that maken fine yearly, for the making of the milne, were, &c.

The place of Shepley pays every year 16d.

The place of Richard of Moston in Auden Shagh, 16d.

The place of Nichol of Hurst, 16d.

The extent of the Demesnes of Assheton, and the park yearly over the *rep'se*.

*Rental Liber. Tenent. de Domo de Assheton sub Limá, anno Suprando.
solvend. ad sex Terminos ann. &c.*

Raulin of the Wood, and his for their londs in Audenshaw, the which were

	s.	D.
William of Aldwinshagh's, - - - - -	3	6
The Heir of Richd. of Moston, for his londs in Aldwinshagh, -	3	6
Richard the Hunt and Wilkyn Tyrr for an intake, - - -	0	3
Richard the Hunt for the half of Beckingham Field, - -	4	0
The Heir of Piers of Shepley, for Shepley, - - -	3	7
Robert of the Rasbotham, for the Rasbotham, - - -	0	5
John of the Heghrode for his tenements, - - -	7	1
The Heir of Tho ^r . of Stavely for the <i>bestal</i> and hurst, - -	2	1

	s.	d.
The same Heir for the Three Houses, - - - - -	0	6
The same Heir of Stavely, and the Heir of Thomas of Trafford, & others, For Ashton Lands & Palden Wood, - - - - -	4	0
Thomas of the Leghes, John of the Knolles, Richard of Hollinworth, John of the Aspenhagh for their tenements in Leghes, - - - - -	0	6
The Heir of Adam of Leghes for his tenement in Leghes, - - - - -	0	10
The same Heir of Adam of the Leghes for an Intake in Palden Wood, - - - - -	3	4
John of the Knolles for the Rhodesfield, - - - - -	6	10
The same John for his part of an Intake in Paulden Wood, - - - - -	4	6
Richard of Hollinworth for his part of an Intake in Palden Wode, - - - - -	4	6
John of the Aspinhalgh, and his wife, for yr part of an Intake in Palden Wood, - - - - -	4	6
Adam of Fetlawe for the light Birches, - - - - -	1	0
The Heir of Hobbe of the Lees for the Knolles, - - - - -	2	0
Adam Wilson Dogeson for the Blackenows, - - - - -	1	7½
The Heir of William of Lusley for William Field, - - - - -	1	0
Richard of Bardesley for his tenement in Hurst, - - - - -	0	5
Nicol of Hurst for his tenement in Hurst, - - - - -	0	5
Thomas of Claydon for Taunton, - - - - -	3	6
Richard of Bardesley for Bardesley the Aspes of Limehurst, - - - - -	5	10
Peirs of Worsley for the Rugghohs and the Woodfield, - - - - -	2	0
Richard the Byron, Knight, for the Woodhouse, - - - - -	1	0
The same Richard for Lond in Sunderland, - - - - -	0	6
The Heir of Thomas of Hadfield, Knight, for Sunderland, - - - - -	2	0
Richard of Bardesley for Bardesley a - - - - -		Rose.

Som. tot 4 £ 13^d. ob 2^s

Sum tot redditus 27 £ : 12 s : 11½ d.

Absque Omnibus servitiis & excenuis, Anglice Presands.

Libi. Tenentes de termino Annunciatoris Beatæ Mariæ suprado. &c.

Nichus del Hurst pro tenemen. suo in Hyrst, - - - - -	9d.
Richardus de Moston p. ten. suo in Aldwinshagh - - - - -	9d.
Petrus de Shepley p Shepley, - - - - -	7d. ob
William de Aldwinshagh p ten. suo in Aldwinshagh, - - - - -	9d.
Ricus fil. Johis. de Berdesly p ten. suo in Hyrst, - - - - -	1d. 11
Robertus de Rasbotham Le Rasbotham, - - - - -	1d. 11

Johes. del Heghrode p ten. suo,	- - - - -	12d.
Thos. de Claydon p Taunton	- - - - -	6d.
William de Lusley pro William Feild	- - - - -	8d.
Tho ^r . de Stanely p le Hyrst, &	- - - - -	9d.
The same Tho ^r . p le 3 Houses,	- - - - -	3d.

Libi. tenent. de termo. Pentecost.

Petrus de Trafford p Alston Londes and Palden Wood,	- - - - -	12d.
Idem Petrus de terra in Sherewinde,	- - - - -	3d.
Heres Ade de Mossley p Aston Landes and Palden Wood,	- - - - -	5d.
Adm. Wilson Doggeson p le Knolles,	- - - - -	6d.
Heres Roberti le p Palden Wood and Ashton Londs,	- - - - -	6d.
Adam de Tetlawe p light Birches,	- - - - -	12d.
Tho ^r . del Leghes and socii sui p lez leghes,	- - - - -	3d.
Adam del Leghes p lez nether Leghes,	- - - - -	2d.

Libi. Tenent. de Termino Scti. Johis. Bapt.

Wills. de Aldwinshagh p ten. suo in Aldwinshagh,	- - - - -	9d.
Ricus de Moston p ten. suo in Aldwinshagh,	- - - - -	9d.
Petrus de Shepley p Shepley,	- - - - -	7d. ob.
Ricus de Hunt p Half Beckingtonfield,	- - - - -	4s.
Robtus. de Rosbotham p Rosbotham	- - - - -	1d. $\frac{8}{11}$
Johes. dell Heghrod p ten. suis,	- - - - -	21d.
Wills. de Lusley p William Field,	- - - - -	3d.
Ricus Fil. Johis. de Berdesley p ten. suo in Hyrst,	- - - - -	1d. $\frac{7}{11}$
Nichus de Hyrst p ten. suo in Hyrst,	- - - - -	9d.
Ricus de Berdesley p les Aspes	- - - - -	2ss.
Idem Ricus p Old Alt,	- - - - -	9d.
Idem Ricus, p Bardesley,	- - - - -	1d. Rosam
Johes dell Knolles p Rhodes Feild,	- - - - -	8s. 5d.
The same John for an Intake in Palden Wood,	- - - - -	2s. 3d.
Ricus de Hollinworth, for an Intake in Palden Wood,	- - - - -	2s. & 3d.
Johes de Aspenhalgh, for an Intake in Palden Wood,	- - - - -	2s. & 3d.
Tho ^r . of Stanely for three houses,	- - - - -	3d.
Ricus Byron miles p le Woodhouse,	- - - - -	12d.
Idem Ricus p Sunderland,	- - - - -	6d.
Thomas de Clayden p Taunton,	- - - - -	6d.

Libi. tenent. de termino Scti Michiⁱ Archi.

William de Aldwinshagh p ten. suo in Aldwinshagh,	-	-	-	9d.
Ricus de Moston p ten. suo in Aldwinshagh,	-	-	-	9d.
Petrus de Shepley, p Shepley,	-	-	-	7d. ob.
Johnes de Rasbothum, φ Rasbothum	-	-	-	1d. $\frac{8}{11}$
Johes del Heghrode, φ ten suo,	-	-	-	2s. 11d.
Willis de Lusley, φ William Feild,	-	-	-	3d.
Adm. Wilson Doggeson, φ le Knolles,	-	-	-	6d. ob. $\frac{8}{11}$
Adm. de Leghes for an Intake in Palden Legh,	-	-	-	3s. 4d.
Tho ^r . del Leghes for an Intake in Palden Legh,	-	-	-	3s. 4d.
Ricus Fil. Johis de Berdesley, φ ten. suo in Hyrst,	-	-	-	1d. $\frac{8}{11}$
Nichus del Hyrst, ten. suo in Hyrst,	-	-	-	9d.
Tho ^r . de Clayden, φ Taunton,	-	-	-	2s.
Petrus de Worseley, φ le Rugheghs and Woodfield,	-	-	-	2s.
Heres Thoms de Hatfield milit. φ Sunderland,	-	-	-	2s.
Johes del Knolles, φ redy Legh,	-	-	-	3s. 5d.
Idem Johes, for an Intake Palden Wood,	-	-	-	2s. 4d.
Ricus de Hollingworth, for an Intake in Palden,	-	-	-	2s. 3d.
Johes del Aspinhalgh, for an Intake in Palden,	-	-	-	2s. 3d.

Libi. tenent. de termino Sancti Martini.

Ricus de Moston, φ ten suo in Aldwinshagh,	-	-	-	6d.
Petrus de Shepley, p Shepley,	-	-	-	12d.
Thomas de Staneley, φ three Houses,	-	-	-	3d.
Petrus de Trafford, φ terra in Sherewinde	-	-	-	3d.
Idem Petrus, φ Alston Londs and Palden Wood,	-	-	-	10d.
Hæres Ade de Mosley, p Alston Londs and Palden Wood,	-	-	-	5d.
Heres Robti Dane, φ Palden Wood and Alston Londs,	-	-	-	6d.
Thomas del Leghes and socii sui, p Les Leghes,	-	-	-	3d.
Adm. del Leghes, p le nether Leghes,	-	-	-	6d.
Idem Adam, φ le Leghes,	-	-	-	2d.
Heres Roberti del Leghes, φ le Knolles,	-	-	-	2s.

Libi. tenent. de termo. Natal. Dmi.

Willielmus de Aldwinshagh, φ ten. suo in Aldwinshagh,	-	-	-	9d.
Ricus de Moston, φ ten. suo in Aldwinshagh,	-	-	-	9d.
Ricus le Hunt, φ William terre for an intake,	-	-	-	3d.

Petrus de Shepley, p Shepley,	- - - - -	8d. ob.
Robertus de Rosbothum, p Rosbothum,	- - - - -	1d. $\frac{1}{11}$
Johannes del Heyrode, p ten. suis,	- - - - -	18d.
Willielmus de Lusley, p Willm. Feild,	- - - - -	3d.
Thomas de Staneley, p three houses,	- - - - -	3d.
Idem Thomas, p le Bestal,	- - - - -	1d.
Adam Wilson Doggeson, p la Knolles,	- - - - -	6d.
Richardus Filius Johannis de Bardesley, p ten. suo in Hyrst,	-	1d. $\frac{1}{11}$
Nichus de Hyrst, p ten. suo in Hyrst,	- - - - -	9d.
Thomas de Staveley, p ten. le Hyrst,	- - - - -	9d.
Tho. de Clayden, p Taunton,	- - - - -	6d.

The tenants-at-will of the said lordship of Assheton have taken their holdings and their places, xx. wynter terme, as it is afore rehearsed, and in this form, yt. if any tenant or tenants list not hold their places, nor their holdings, within their term that the sit in, and they like to give up their places or their holdings at the Martinmas, the lord shall receive them at the Martinmas next after, with this, that s^d tenant or tenants leave their places, their houses, and their closes able as they ought to be, and their land in the field as able and as good a tenant for to take, as it was at their takyng in the beginning of their terme of years; and if they do not, it shall be overseen, and the houses and the closes shall be overseen by 4 or 6 men sworne, the which shall be taken by the lord and his officers; and they shall set by their conscience what would repair the houses and the closes; and, if the lord belikes, he shall take the mone that is set, and repair the houses and the closes; and if the lord like not so to do, the tenant that is to come shall take it if him like; and, if he like not, the 4 or the 6 men sworn shall take the money that they have set, and repair the houses and closes able as they ought to be repaired; and this rule and custom shall be had when as ever any tenant removes, be it within the terme, or at the terme end; and, as touching the lond that lies to the place, these 4 or six men sworn shall set by their consciences what they hold the land worse yearly a tenant for to take, than it was at taking of tenant that removes; and as many years as is behind of his term of so meikle shall the tenant answer to the Lord, if he removes fro his place within his terme, according to the sum set by the sworn men; but it shall be well understanden, that if the tenant hold his land unto the terme, and remove unto another place at the term end, the houses and the closes shall be seen in the form as is beforesaid, but the lands in the fields shall not be seen or set as is before rehearsed, unless the tenant by fraud, and

upon purpose, erede his land of miss and unreasonably, or done to his holding other diverse harmers upon malice and for evil will.

Also, the tenants-at-will of the said lordship shall muller at the 16 vessel, and go to none other miln but to the lord's milnes; and which of them that is found guilty of going to any other milne, they shall be highly amerced, and make fine at the lord's will; and the free tenants that oghen soken to the miln, shall muller as their chartours will, and as they have been accustomed of old time. And the free tenants and the tenants-at-will shall give the milner his service at all times, as it has been accustomed aforetime always; and if there be any default in the milner's service that may be proved lawfully, he shall be punished highly by the lord at his courts, as the law and the custom will, and as has been used aforetime; and the customs of the milne shall be kept, every man to keep his grist, as has been used aforetime; and when the Lord's corn come to the miln, he shall put all men out of their grist, and take their corn out of the hopper, if there be any therein, and his corn shall be ground next before all men, whent it comes to the miln without muller, or paying service to the milner, but as his lyst if he likes and curtasy to give to the said milner.

The free tenants of the Lordship of Assheton have granted to John of Assheton, for to be infeoffed in the Hall Mole of Ashton, after the customs and the burgales of the aforesaid town, to term of their lives out taken, that they will not swear upon the inquest between the tenants at will at the suit of party, but they will swear between free tenants and tenants at will; that is, to wit, 6 of the free tenants, and 6 of the tenants at will, and also between the Lord and free tenants, and the tenants at will: and also the aforesaid free tenants, and all tenants graunts for to hold the ordinances and the customs before time made and used, and the which afterward are to be made by the graunt of them to the Lords profit, and the tenants aforesaid. And the foresaid free tenants, and the tenants at will of the manor of Asshton, grants to John of Assheton, Knight, that, if any of them be convicted by inquest of any trespass done to others in his beginning, and of his own wrong, that then the Lord of the town, by his Bailey, shall distrain him by his goods by great distresse, unto the time that he have amended it reasonably to the party grieved, and also to the Lord for the trespass at his will, and the trespassor have goods within the Lordship: and if that he have none, then the Lord of the town, or his Bailey, shall take him with strength of the foresaid free tenants, and tenants at will, and set him in the stocks unto the time that he have amended unto the party grieved, and to the Lord. And also they graunt the aforesaid free tenants, and tenants at will, and all that dwells in the foresaid town, that if any strange man of any other town or towns come within the foresaid town, for to do any harm to any tenants resident within the town, that anon all the tenants and resi-

dents aforesaid, within the foresaid town, shall rise with their neighbours to take and arrest the foresaid trespassor unto their power, after that they be warned by their neighbours, or by the Lord's Bailey, or by any man fro that time that there be knowing of such a misdoer; and if any of the foresaid tenants and residents refuses so to do in the form aforesaid, then will all the tenants and the residents aforesaid, that afterward of that deed, or any of them, be convicted in the Lord's court by inquest, that he so convicted shall give to the Lord 40s. within 15 days then next following, and that the Lord's Bailey shall raise the forfeit 40s. of the goods of them that are convicted; and also they grant, that if any of them resette or maintain any strange man after that day, knowing that he have done trespassed to any tenant or resident aforesaid, within the town aforesaid, then he shall give to the Lord of the town 40s. of his good, to be raised by the Bailey in the town aforesaid, after that he be convicted by the inquest. And also the tenants at will grant to the foresaid John of Asshton, Knight, that if any of them were rebel, and would not be justified after the custom and ordinance of the aforesaid town, that he shall not maintain him, nor help him, but he shall remove him out of his service, and he shall loose his love. Also the aforesaid tenants and residents will, and grantyn that if there be any fighter among them, the which shall fight with another in his beginning, after that he be convicted by the inquest, then he convicted shall give to the Lord half a mark the first time; and if he will not be chastysed by that, the second time he shall give the Lord a mark, after that he be convicted by the inquest; and if he will not be chastysed by that, the third time he shall give the Lord 20s. after that he be convicted by the inquest, to be raised by the Lord's Bailey. Also they give and grantyn, that if there be any tenant or resident within the foresaid town that have resetted any fighter with other in his beginning, that the resetter, after he be convicted by the inquest, shall amend it to the party greived, and he shall give to the Lord the pains sette upon him as before is written.

This is the covenant made between John of Assheton, Knight, and the tenants of the town of Asshton, of their swine, ye. year of the reign of King Richard the Second, after the conquest the third; that the aforesaid tenants shall have their swine going in the demesnes of the foresaid town, fro the latter end of harvest unto sowing time, out taken the little park and hall yards, so that the aforesaid swine be ringed fro the foresaid latter end of harvest unto the foresaid time of sowing. And the foresaid tenants shall keep their ^{swine} that do us harm to the lord, nor to their neighbours, in the ^{place} ~~swine~~ out taken, that is to say, fro seeding time to harvest be in, and this covenant to be fulfilled; the aforesaid will then, when so any swine be taken in any default aforesaid, that he that owns the swine shall loose to the lord 4d.; each tenant of them aforesaid shall have as many swine as it is written and underneath, that is, to witt, every tenant

of the tenants aforesaid, of the said town, that brews to sell, and the miller, shall hold 3 swine; and every tenant of the tenants aforesaid that holds land in the fields shall hold 2 swine; and every tenant of the tenants aforesaid that holds no land shall have one swine. The free tenants-at-will of the Lordshippe of Ashton, the year of the reign of King Henry the fourth after the conquest, the first, grantyn to John of Assheton, Knight, in his plain Hall Court, the Tuesday next before the Assion. of our Lord, that, if any free tenant or tenants, that owe muller to the mill, sell their corn growing upon their tenements, and buy corn of others, and, with the same corn bought, come to the milne and muller not but to the love-sucken of that corn bought, and of this they bin convicted in the lord's court by inquest, they shall pay to the lord xx p. the which shall be raised of their goods by the lord's bailey.

At the first Form upon the north side of Assheton kirk,
Uxor Thomæ de Claydon, Ux^r Rodi de Berdysley, Ux^r de Sunderland, Ux^r Radulphi de Wood, and their servant and other gentills strangers.

At the first Form on the south side the kirk,
Ux^r Hæred. Henrici de Moston, Ux^r de Shepley, Ux^r Johannis de Heghrode, Ux^r Rhodi de Hunt, and the servant women of the hall, and other gentills strangers.

At the second Form on the south side,
Ux^r Rad. de Bardisley de Hunt, Ux^r Adæ de Leghes, Ux^r Rici de Hurt, Ux^r William Tyrr, Ux^r De ——— Blakeknolles, and their tenants.

The iiid Form on the south side,
Ux^r Thos. de Leghes, Ux^r Joh^a. de Knolles de Leghes, Ux^r Tenenti. de Barsley, Ux^r De Rasbotham, Ux^r Adæ De Wilson de Knolles, Ux^r Joh^a. de Aspynhalgh, Ux^r Rodi de Hollinworth, and their s

At the 4th Form of the south side,
The tenants of Rauf of Stayley, the tenants of Peter of the Lusley, the tenants of Thos. de Claydon, the tenants of Shepley, the tenants of John of the Heghrode.

The fifth Form upon the same side,
The tenants wyndches of Sir John the Byron that dwellyn with him.

The 6th Form of the same side,
To the parson's tenants, Ux^r Thomæ Higson, Ux^r Thos. de Curtal, Carol Jen-

kyn daughter, Ux^r Ux^r Joh^s. de Berdealey, and the tenants of the Woodhouse, and the strangers to the other Form.

The second Form on the north side,

Ux^r Johannis de Leghes, Ux^r Williⁱ. de Bardisley de Ha, Ux^r Roberti de Wright de Alt Hill, Ux^r Rodi de Hadfield de Aldwinshagh, Ux^r De Soureker, and their servants.

The third Form on the north side,

Uxor Radi de Bardisley, Ux^r Radi de Curtal, Ux^r Thos^e. de Meltham, Ux^r Jacobi de Meltham, and their servants.

Ux^r Tenent. Radⁱ. Assheton de Ashton.

The 4th Form on the same side,

Ux^r Roberti le Cropper, Ux^r Thos^e. de Hasilhurst, Ux^r Johannis de Hollinworth, Uxor Thomae Robinson, Uxor Regⁱ. le Baxter, and their servants.

The 5th Form on the same side,

Ux^r. Rhodi le Smyth, Ux^r. William le Cocker, Ux^r. Robti Fulstaffe, Ux^r. Johan^s. de Wood, Ux^r. Robti Adamson, and their servants.

The 6th Form on the same side,

Ux^r. John^s. le Spencer, Ux^r Robtiⁱ. de Walker, Ux^r Willi^mi. le Bardisley de Hol-dome, Ux^r Johannis Jameson, Ux^r Williⁱ. Robinson, and their servants.

The 7th Form on the same side,

Uxor de Milne, Ux^r Robti Somdyst, Ux^r Robti Robinson, Ux^r Gregorii de Berdealey, Ux^r Robti Saunderson, Ux^r Johannis de Lyme.

The 1st Form upon the north in the nether end of the Kirk.

Ux^r Williⁱ. Adkynson, Ux^r Robti. de Lyndgards, Ux^r John de Lyndgards, Ux^r Roger le Cropper, Ux^r Joh^s. le Slater, Ux^r Joh^s. le Slater, Ux^r Joh^s. Bardetan, Ux^r Thurstan de Bardisley, Uxor Williⁱ. de Cross, and their serv^{ts}.

The 2d Form on the same side,

Ux^r Adæ de Bardisley, Ux^r Willi le Walker de Rycroft, Ux^r Robti Robynson, Ux^r Wilti et Robti le Walker, Ux^r Radi Joneson, Ux^r Rodi Wilkinson. Ux^r Johis.

Sanderson, Ux^r Nichi Sanderson, Ux^r Tho^{ac}. Adamson, Ux^r Willi le Sclater, and their servants.

The 3d Form on the same side,

Ux^r Tho^{ac}. de Sanderson, Ux^r Robti Unton, Ux^r Will^r. de Cowleshaw, Ux^r Rodi Unton, Ux^r Johis de Merler, Ux^r Hugh de Gatecliffe, Ux^r Willi de Woodfield, Ux^r Roger le Smith, Ux^r Tho^{ac}. le Cooke, Ux^r Robti le King, and their Servants.

The 4th Form also of the same side,

Ux^r Johis le Coke, Ux^r Tho^r. de Whiteleg, Ux^r Johis Ffulstaffe, Ux^r Robti de Chadwick, Uxor Patric Margree de Stayley, Ux^r Rodi Willison, Alice Hanson, Nanna Windebank, Elen Wilkin Doghter, Ux^r Perin, Ux^r Henrici the Baxter, and their servants.

The 6th Form of the same side,

Ux^r Adæ de Held, Ux^r Willi le Arrowsmith, Ux^r Johis le Hynd, sen. Elinor le Rose, Ux^r Will^m. Somdyst, Ux^r Willi de Bardesley, Ux^r Johannis de Howarth, Ux^r Henrici Spake Man, Ux^r Willi de Bulkeley, Ux^r Robti Jackson, Ux^r Adæ Thomson, and their servants.

The other void Forms for servants and strangers. Jankyne of the Winterbotham has tane the marled earth in the Rodes Field, x years terme, the term beginning at the Martinmas, the year of King Henry the sixth, the second paying therefor yearly at the term aforesaid, 2 marks; and John of Aynsworth, and Thomlyn of the Leghes of Hasleworth, are his borrows y^t. he shall well and truly pay his farm during the said term.

(Here take notice page 29, 30, and 31, being only a repetition of the seats in Church, is wanting in this copy, being of no moment.)*

This is the rental to Thos. of Assheton, son and heir to Sir John Assheton, of the lands and tenements, the which the said John give him at his marriage, within the Lordship of Assheton, and to his wife, as their deed makes mention:—

Richard of Hadfield, for his tenement in Aldwinshaw, a service, the service 10s.

John of Hollinworth, for the Birchenhaw, a service, the farm of the Birchenhaw, 26s.

* Remarks made by the Transcriber.

William of Bardisley the younger, for the Olde House Carr, a service, the farm 20s.

Thomas of Jenkinson, of the Bardesley, for the Old Thenes Carr, the farm 30s.

Tho. Saunderson, for his tenement, in the farm, x.

Thomlyn Diconson, for his tenement, a service, the farm thereof viii.

Magot, that was the wife of Jenkyn the Cropper, for lands in Wollowe, the farm iii.

Robert Saunderson, for the Childerscroft in Wollowe, the farm

Thomlyn the Taillor, for his tenement, at the waterhouses in Harper Wallowe, a service, y. farm xxx.

Gregory of Bardisley, for his tenement at the water houses in the farm-xxiii.

Tho. of the Leghes, Richard of Hollinsworth, for their lands in Palden Legh, the farm xxii. and viid.

	<i>L.</i>	<i>s.</i>	<i>d.</i>
This settlement as made out makes,	-	-	9 2 7
To which add the sum total of Sir John's rent,	-	-	27 12 11½
			<hr/>
			makes, 36 14 6½
			<hr/>

Besides services and presents.

No. III.

NOTICE OF ASHTON-UNDER-LYNE PARISH,

From Aikin's Manchester, page 223, &c.

" THIS parish is situated in the south-eastern corner of the county. Ashton itself is a small but populous town, which has received a great increase of late years, and now consists of several streets of well-built commodious houses. It stands on a rising situation on the north side of the Tame. There was formerly a market held here every Wednesday, at a place where an ancient cross is still standing; but it has been discontinued above thirty years, though such a convenience is now particularly wanted from the augmented population.

" The Earl of Stamford, to whom the town and a principal part of the parish belongs, holds a court leet here yearly, where his agent presides as judge; and all disputes, breaches of trust, rights of tenants, together with actions of debt under forty shillings, are cognizable. It appears from a very ancient manuscript now in the possession of Joseph Pickford, Esquire, of Royton, containing the rent-roll and several very curious particulars concerning the estate, drawn at a remote period, to have been a borough; but why the charter was withdrawn, or by what means the privilege was lost, there is no account: yet the custom of yearly nomination, and the insignia of office, are still kept up by the inhabitants.*

" There is nothing that excites the curiosity of a stranger so much at this place as the annual custom of *Riding the Black Lad*, which is always celebrated on Easter Monday. There are different traditions concerning the origin of this extraordinary circumstance; and the idea is generally prevalent, that it is kept up to perpetuate the disgraceful actions of Sir Ralph Ashton, who, in the year 1483, under the authority of vice constable† of the kingdom, exercised great severity in this part of the country. The following are the particulars of the ceremony. An effigy in the human form, which is made of straw, inclosed in a coarse wrapper, and seated on a horse, is first led through the town; after which it is hung up at a cross in the market-place, and there shot away in the presence of a large concourse of the neighbouring people, who always

* The M.S. alluded to is probably the same as that which forms No. 2 of this Appendix.—S. H.

† The commission is still to be seen in *Rymer's Fœd.ra.*

attend to be spectators of the exhibition. Yet, from a sum issued out of the court to defray the expense of the effigy, and from a suit of armour which till of late it usually rode in, together with other particulars handed down by tradition, a very different account of the origin of this custom is preserved, of which the following is the substance :

“ In the reign of Edward the Third, surnamed of Windsor, lived Thomas Ashton, of Ashton-under-lyne, of whom nothing but the following particulars are known : In the year 1346, when the king was in France, David king of Scotland brought an army into the middle of this kingdom ; and at Nevil's Cross near Durham, Edward's queen, with the Earl of Northumberland as general, gained a complete victory over the Scots, about the same time that her husband obtained a great victory in France. In this battle, Thomas Ashton, one of her soldiers, but in what station is unknown, rode through the ranks of the enemy, and bore away the royal standard from the king's tent, who himself was afterwards taken prisoner. For this act of Ashton's heroism, when Edward returned from France, he gave him the honour of knighthood, and the title of Sir Thomas Ashton, of Ashton-under-Lyne : and to commemorate this singular display of his valour, he instituted the custom above described, and left the sum of ten shillings yearly to support it, (within these few years reduced to five) with his own suit of black velvet, and a coat of mail, the helmet of which is yet remaining.*

“ Ashton has a large and ancient church, furnished with a fine ring of ten bells, and a large organ erected by the subscription of the inhabitants. Under the seats of some of the pews are rude carvings on wood, relating to different families in the neighbourhood, of a very old date. Several of these are preserved, though the church has been newly pewed. A popular tale is current concerning a supposed ace of spades cut upon the south side of the steeple. This has been found by Mr Barritt to be an old triangular shield charged with a mullet, the arms of Ashton impaling the arms of Stealey, of Stealey, in that neighbourhood, which seems to denote that a lady of that family, married to an Ashton, was a liberal contributor towards the building. The living is a valuable rectory in the gift of the Earl of Stamford, now in the possession of the Reverend Sir George Booth, Bart. Near the church is a building of great antiquity, called the Old Hall, which is supposed to have been built about the year 1483, at present occupied by Mr Brooke. Adjoining to it is an edifice which has the appearance

* If this sum had been left at so early a date, it would have appeared in the custom roll which was written in the 1st year of the reign of Henry VI. But the explanation now given, which does not accord with the popular tradition of the place, was first, I believe, suggested by the late Mr Barritt of Manchester, who, on perusing the documents which I gave him, was well satisfied of its incorrectness. This ingenious Antiquary, well known in Lancashire, [supplied me with many interesting accounts of the antiquities of Assheton, of which I have occasionally availed myself in the course of the foregoing Dissertation.

of a prison, and till of late years has been used as such ; it was formerly regarded by the inhabitants as a sort of Bastille to the place. It is a strong yet rather small building, with two round towers overgrown with ivy, called the dungeons. The prison is now occupied by different poor families. It has two court-yards, an inner and an outer, with strong walls. Over the outer gate was a square room ascended to from the inside by a flight of stone steps, and very ancient. It has always gone by the name of the Gaoler's Chapel, as it was supposed that prayers were occasionally read in it to the prisoners. It is now taken down. The house to the inner court is still standing, and in tolerable repair. The back of the Old Hall adjoining the prison overlooks the gardens and river Tame, with a beautiful prospect. On this side of the building are strong parts of immense thickness, with numbers of loop holes. At a short distance is a meadow, well known by the name of Gallows-field, doubtless the place of execution when the Lord of Ashton had power of life and death."

AB

1st
Form.

2d
Form.

3d
Form.



